

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

ALBERT BUSTILLOS,

Plaintiff,

v.

No. 2:20-cv-01060-JCH-GJF

**THE CITY OF ARTESIA and OFFICER
DAVID BAILEY,**

Defendants.

NOTICE OF APPEAL

Notice is hereby given that Defendants City of Artesia and David Bailey, by and through their counsel of record, Atwood, Malone, Turner & Sabin, P.A. (by Bryan Evans and Renee Gantert), hereby appeal to the United States Court of Appeals for the Tenth Circuit that part of this Court's *Memorandum Opinion and Order* [Doc. 103] denying Defendants' Motion for Summary Judgment seeking qualified immunity on Plaintiff's § 1983 claims against Defendant Bailey, entered in this action on the 17th day of March, 2022.

Respectfully submitted,

ATWOOD, MALONE, TURNER & SABIN, P.A.

/s/ Bryan Evans

Bryan Evans

K. Renee Gantert

P.O. Drawer 700

Roswell, NM 88202-0700

(575) 622-6221

Attorneys for Defendants

I HEREBY CERTIFY that on April 13, 2022, I filed the foregoing instrument electronically through the Court's Electronic Filing system, which caused all parties of record to be served by electronic means, as more fully reflected on the *Notice of Electronic Filing*.

/s/ Bryan Evans

Bryan Evans